

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SAUL SABINO,

Plaintiff,

MEMORANDUM & ORDER

20-CV-5861 (EK) (JRC)

-against-

CITY OF NEW YORK and JAMES OGLE,

Defendants.

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ERIC KOMITEE, United States District Judge:

On April 5, 2024, the Court mailed plaintiff Saul Sabino notice of the Court's intention to convert the City of New York's pending motion to dismiss, ECF No. 98, into a motion for summary judgment. That notice directed Sabino to "file any additional material" he deemed relevant to the applicability of the general releases the City filed in connection with its motion. ECF No. 121; see April 5 Notice of Mailing. Sabino has not responded. The City of New York is therefore directed to notify Sabino of the Court's order at ECF No. 121 by all reasonable means, including by mailing a copy to his last known address (together with this order) and by calling Sabino at his last known telephone number. If Sabino does not submit a response by May 30, 2024, the Court will decide the City's motion on the existing record, which **may result in dismissal of**

the action. The City is directed to file a short letter by May 22, 2024, describing the steps it has taken to contact Sabino and whether it has been successful in reaching him.

SO ORDERED.

/s/ Eric Komitee
ERIC KOMITEE
United States District Judge

Dated: May 15, 2024
Brooklyn, New York